

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Gordon Moore Allan et al.
Filing Date : February 16, 2001
Serial No. : 09/784,962
For : PORCINE CIRCOVIRUS AND PARVOVIRUS VACCINE
Patent No. : 6,953,581

745 Fifth Avenue
New York, NY 10151

FILED VIA WEB-EFS
DECEMBER 1, 2009

COMMUNICATION

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is requested that a Certificate of Correction is issued in the above-entitled patent in accordance with the enclosed form PTO 1050 that was filed on December 28, 2006.

REMARKS

The enclosed Request For Certificate of Correction was filed on December 28, 2006. The Certificate of Correction requested that the following errors were corrected:

1. the fifth inventors' name from "Jean-ChrJistophe Francis Audonnet" to --Jean-Christophe Francis Audonnet--;
2. Please add the sixth inventor's name --Francis McNeilly, Newtonards, North Ireland--.
3. Please delete "Merial Limited, Duluth, GA" and insert:
--Queens University of Belfast, Belfast United Kingdom; Merial, Lyon, France;
University of Saskatchewan, Saskatoon, Canada --.

According to the enclosed letter stamped July 3, 2007, from the Decisions & Certificates of Correction Branch (Exhibit H) a Certificate of Correction was issued for items 1 and 3, but our request to add Francis McNeilly as an inventor was denied.

In response, Applicants contend that the filing of the Certificate of Correction was not a request to add inventor Francis McNeilly as an inventor after issuance of the patent, since the inventor is listed on the executed Declaration and Power of Attorney (Exhibit B) that was filed on November 8, 2004 with the U.S. Patent and Trademark Office and accepted by the Office of Petitions (See Exhibit G).

The letter further states that inventor McNeilly cannot be added because patentees have not complied with 37 CFR § 1.324. Applicants bring to the attention the enclosed Exhibits A through F that were filed on November 8, 2004 with the U.S. Patent and Trademark Office.

On November 8, 2004, Applicants hand delivered the enclosed Petition To Revive And Waive Rules along with an executed Declaration and Power of Attorney and supporting documents labeled Exhibits A through F to the U.S. Patent and Trademark Office. The executed Declaration and Power of Attorney included the signature of inventor Francis McNeilly. (Exhibit C)

On December 28, 2004, Applicants received the enclosed communication from the Office of Petitions dated December 23, 2004, (Exhibit G) stating that the declaration that was filed with the Petition could be made part of the record as a supplemental declaration.

Applicants respectfully request that, based on the above enclosures, a Certificate of Correction adding Francis McNeilly as an inventor on the patent is issued.

The Commissioner is authorized to charge any fees required for this submission or credit any overpayments in fees to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorney for Applicant

By: 

Thomas J. Kowalski
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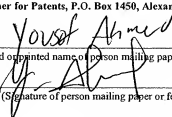
745 Fifth Avenue, New York, NY 10151

EXPRESS MAIL

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Date of Deposit: December 28, 2006

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" Service under 37 CFR 1.10 on the date indicated above
and is addressed to: Certificate of Correction Branch,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

REQUEST FOR CERTIFICATE OF CORRECTION

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is requested that a Certificate of Correction be issued in the above-entitled patent in
accordance with the accompanying form PTO 1050 in duplicate. Please make the following
changes:

IN THE INVENTORS:

Please correct the fifth inventors' name from "Jean-ChrJistophe Francis Audonnet" to --Jean-Christophe Francis Audonnet--;

Please add the sixth inventor's name --Francis McNeilly, Newtonards, North Ireland--.

IN THE ASSIGNEE:

Please delete "Merial Limited, Duluth, GA" and insert:

--Queens University of Belfast, Belfast United Kingdom; Merial, Lyon, France;
University of Saskatchewan, Saskatoon, Canada --.

REMARKS

Because this error to be corrected originated from this office, the requisite fee of \$100.00 is enclosed. The requested change does not constitute new matter and this application does not require re-examination. A completed Form PTO 1050 is enclosed. The Commissioner is authorized to charge any additional fees or credit any overpayments to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorney for Applicant

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Thomas J. Kowalski
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,953,581
DATED : October 11, 2005
INVENTOR(S) : Gordon Moore Allan
: Brian Martin Meehan
: John Albert Ellis
: George Steven Krakowka
: Jean-Christophe Francis Audonnet
: Francis McNeilly

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

IN THE INVENTORS:

Please correct the fifth inventors' name from "Jean-ChrJistophe Francis Audonnet" to --Jean-Christophe Francis Audonnet--;

Please add the sixth inventor's name --Francis McNeilly, Newtonards, North Ireland--.

IN THE ASSIGNEE:

Please delete "Merial Limited, Duluth, GA" and insert:
--Queens University of Belfast, Belfast United Kingdom; Merial, Lyon, France;
University of Saskatchewan, Saskatoon, Canada --.

MAILING ADDRESS OF SENDER:

Thomas J. Kowalski, Esq.
Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, New York 10151

PATENT NO. 6,953,581
No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.1 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the complete provisional application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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